

**REMARKS**

The instant application relates in part to improved polyamides that bind to the minor groove of duplex DNA molecules. In particular, the instant claims relate to polyamides comprising a hairpin loop derived from (R)-2,4-diaminobutyric acid.

Claims 1-19, 22 and 26 are currently pending in the instant application, with claims 16-19 being amended, and new claims 27-38 being added herein. The new and amended claims are provided solely to comply with the Examiner's request to correct an alleged improper multiple dependency. The amended claims are commensurate in scope with the originally filed claims, and should not be taken to further limit the claims.

Notwithstanding the foregoing, Applicants expressly reserve the right to prosecute subject matter no longer or not yet claimed in one or more applications that may claim priority hereto. Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the following comments.

*Non Art-Related Remarks*Drawings

Applicants respectfully submit replacement formal drawings herewith.

37 C.F.R. §1.75 (c)

Applicants respectfully submit that the foregoing amendments to the claims render moot the Examiner's objection to Claims 16-19 under 37 C.F.R. §1.75(c), as allegedly being in improper form for multiple dependent claims.

*Art-Related Remarks*

Applicants respectfully traverse the rejection of claims 1-7, 22 and 26 under 35 U.S.C. § 102(a) as allegedly being anticipated by Herman et al., *JACS* 120:1382-1391 (1998). The publication date of the cited publication is February 7, 1998. The present application claims priority to, inter alia, International Patent Application No. PCT/US98/03829, filed on January 29, 1998, which fully supports the instant claims, e.g., in the originally filed claims. For the

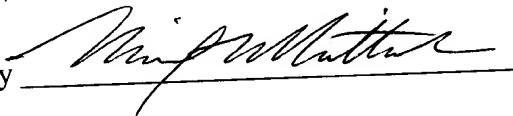
convenience of the Examiner, a copy of International Patent Application No. PCT/US98/03829 is provided herewith. Applicants respectfully submit that the cited publication is not prior art to the instant application, and request that the rejection be withdrawn.

### CONCLUSION

Accordingly, in view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to contact the undersigned at the telephone number listed below so that they may be resolved without the need for additional action and response thereto.

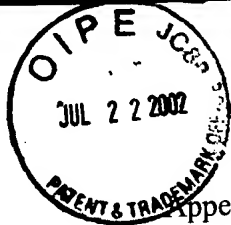
Respectfully submitted,

Date July 17, 2002

By 

FOLEY & LARDNER  
P.O.Box 80278  
San Diego, California 92138  
Telephone: (858) 847-6700  
Facsimile: (858) 792-6773

For Richard J. Warburg,  
Michael A. Whittaker  
Attorney for Applicant  
Registration No. 46,230



RECEIVED

JUL 25 2002

TECH CENTER 1600/2900

Appendix A: Marked-up claims, indicating amendments.

16. (Amended) A tandem-linked polyamide of claim[s] 8, [9, 10, or 11] wherein P represents zero to eight polyamides of claim 1.
17. (Amended) A tandem-linked polyamide of claim[s] 8, [9, 10, or 11] wherein P represents zero to six polyamides of claim 1.
18. (Amended) A tandem-linked polyamide of claim[s] 8, [9, 10, or 11] wherein P represents zero to four polyamides of claim 1.
19. (Amended) A tandem-linked polyamide of claim[s] 8, [9, 10, or 11] wherein P represents zero to two polyamides of claim 1.